

Message Text

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PAGE 01 STATE 191632
ORIGIN SCS-05

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DRAFTED BY SCA/SCS;EMARNOLD;SJD
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R 122117Z AUG 77
FM SECSTATE WASHDC
TO AMEMBASSY BANGKOK
AMEMBASSY SINGAPORE

UNCLAS STATE 191632

E.O. 11652: N/A

TAGS: CDES TH (GALLAGHER, FRANK)

SUBJECT: DISPOSITION OF EFFECTS

REF: BANGKOK 16706; SINGAPORE 3273; STATE 180192, 080132

1. MRS. BARBARA GALLAGHER INFORMED DEPT THAT SHE HAS NOT RPT NOT TAKEN STEPS THUS FAR TO OBTAIN LETTERS OF ADMINISTRATION IN FLORIDA BECAUSE HER ATTORNEY ADVISED HER TO AWAIT OUTCOME OF SSA INVESTIGATION. SSA INFORMED HER AUGUST 8 THAT NO RPT NO RECORD DIVORCE LOCATED IN CAIRO, BANGKOK OR SINGAPORE. SHE PLANS CONSULT HER ATTORNEY WHO HAS ALREADY WRITTEN TO THAI ATTORNEY RE ESTATE CLAIM UNDER THAI LAW. SHE ASKED SPECIFICALLY ABOUT DISPOSITION OF DECEDENT'S EXPENSIVE DIVING EQUIPMENT AND UNDERWATER CAMERA.

2. IS THAI COURT ORDER (PARA 1 BANGKOK REFTTEL) BASED ON PRESUMPTION OF LEGAL MARITAL STATUS BETWEEN AD GALLAGHER AND DECEDENT? IS IT APPLICABLE TO ENTIRE ESTATE OR ONLY PORTION IN THAILAND? DOES DECEDENT'S IMMIGRATION STATUS IN UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 191632

THAILAND HAVE BEARING ON EXTENT OR VALIDITY OF COURT ORDER?

FOR POST' INFO: BARBARA GALLAGHER HAS LEARNED THAT DECEDENT COMPLETED CAIRO CONTRACT ON MARCH 16, 1977 AND THEN

RETURNED TO SINGAPORE. HE ENTERED THAILAND BETWEEN MARCH 16 AND DATE OF HIS DEATH AND, THEREFORE, WAS PROBABLY IN

TOURIST STATUS AT TIME OF HIS DEATH.

3. IF COURT ORDER NOT RPT NOT DEPENDENT ON MARITAL STATUS OR THAI IMMIGRATION STATUS OF DECEDENT, IT APPEARS THAT CONOFF WOULD HAVE TO ACQUIESE TO WISHES OF COURT APPOINTED MANAGER WITH RESPECT TO DISPOSITION OF DECEDENT'S EFFECTS NOW IN POSSESSION OF CONOFF (22 USC 1175 AND 22 CFR 72.16 (B), 7 FAM 444). HOWEVER, CONOFF SHOULD ALLOW BARBARA GALLAGHER AMPLE TIME TO ESTABLISH CLAIM UNDER THAI AND/OR AMERICAN LAW. CONOFF SHOULD ENCOURAGE CLAIMANTS TO COME TO AGREEMENT WITH RESPECT TO DISPOSITION OF EFFECTS BEFORE TURNING OVER EFFECTS HELD BY CONOFF TO THAI COURT APPOINTED MANAGER, OR AGAINST LETTERS OF ADMINISTRATION ISSUED BY US COURT. IF ADDITIONAL QUESTIONS OR PROBLEMS ARISE, CONOFF SHOULD SUBMIT REQUEST TO DEPT FOR REVIEW IN FORM OF OM. CHRISTOPHER

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